

UNITED STATES FEDERAL COMMUNICATIONS COMMISSION

In the Matter of:) EB DOCKET No.: 01-39
)
FAMILY BROADCASTING, INC.)
)
Order to Show Cause Why the)
Licenses for Stations WSTX(AM))
and WSTX-FM, Christiansted,)
U.S. Virgin Islands, Should)
Not be Revoked.)

Deposition of: ASTA K. JAMES

Pages: 1 through 38

Place: Washington, D.C.

Date: November 14, 2002

HERITAGE REPORTING CORPORATION

Official Reporters

1220 L Street, N.W., Suite 600

Washington, D.C. 20005-4018

(202) 628-4888

hrc@concentric.net

ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of:) EB DOCKET No.: 01-39
)
FAMILY BROADCASTING, INC.)
)
Order to Show Cause Why the)
Licenses for Stations WSTX(AM))
and WSTX-FM, Christiansted,)
U.S. Virgin Islands, Should)
Not be Revoked.)

Deposition of:

ASTA K. JAMES

a witness of lawful age, taken on behalf of the Federal Communications Commission, pursuant to notice, in the Club Room, 560 N Street, S.W., Washington, D.C., 20024, on Thursday, November 14, 2002, at 4:57 p.m., before Beth Roots, Notary Public in and for the District of Columbia, when were present:

APPEARANCES:

On behalf of Family Broadcasting, Inc.:

LAUREN A. COLBY, Esquire
10 East Fourth Street
Post Office Box 113
Frederick, Maryland 21701
(301) 663-1086

DAN HUBER, Esquire
560 N Street, S.W., Suite 501
Washington, D.C. 20024
(202) 488-4505

Heritage Reporting Corporation
(202) 628-4888

APPEARANCES: (Continued)

On Behalf of Federal Communications Commission:

JAMES W. SHOOK. Esquire
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554
(202) 418-1420

Heritage Reporting Corporation
(202) 628-4888

C O N T E N T S

WITNESS:

Asta K. James

PAGE

EXAMINATION BY COUNSEL FOR FCC

4

P R O C E E D I N G S

(4:57 p.m.)

THE REPORTER: My name is Beth Roots. I'm a notary public for the District of Columbia. Today is the 14th day of November, 2002. We are at 560 N Street, Southwest, Washington, D.C.

Present are counsel for Family Broadcasting, Lauren Colby; counsel for Federal Communications Commission, James Shook; and the witness, Asta J. James.

Ms. James, would you please raise your right hand?
Whereupon,

ASTA K. JAMES

having been duly sworn, was called as a witness and was examined and testified as follows:

MR. SHOOK: For purposes of the deposition, just remember that the microphone has to pick up whatever it is that you want to say. So you just have to say it loud enough to make sure the microphone picks it up.

THE WITNESS: Okay.

EXAMINATION BY COUNSEL FOR FCC

BY MR. SHOOK:

Q Could you state your name for the record, please?

A My name is Asta K. James.

Q And what is your date of birth?

A February 10, 1928.

Heritage Reporting Corporation
(202) 628-4888

1 MR. COLBY: I couldn't hear it at all.

2 THE WITNESS: February 10, 1928.

3 MR. COLBY: 2-10-28?

4 THE WITNESS: Yes.

5 MR. SHOOK: Now, if I ask a question that you
6 don't understand, simply say so and I will repeat it. And
7 if it continues to remain that you don't understand it, I'll
8 try to rephrase it.

9 THE WITNESS: Okay.

10 MR. SHOOK: If there comes a time when you recall
11 that you said something that you want to correct or change
12 in any way, just let me know and you can do that.

13 BY MR. SHOOK:

14 Q Now, is there anything that you are aware of that
15 could affect the testimony that you are about to give?

16 A No.

17 Q How would you describe your general health at this
18 point?

19 A Pretty good.

20 Q Do you have any specific health problems that
21 could impact your testimony today?

22 A I have high blood pressure but I don't think that
23 will.

24 THE REPORTER: I'm sorry, but you are going to
25 have to speak up.

1 THE WITNESS: I have blood pressure, but I don't
2 think that would.

3 BY MR. SHOOK:

4 Q Are you taking some medication for it?

5 A Yes, I am.

6 Q And so it's under control?

7 A Yes, it is.

8 Q What is your current address?

9 A Number 83 Anna's Hope, Christiansted, St. Croix,
10 U.S. Virgin Islands.

11 Q And how many years have you lived there?

12 A From 1960.

13 Q I can do the math. Who resides there with you?

14 A My husband. I have my daughter living there with
15 me now at the present time, and three kids.

16 Q Is her oldest child away at college?

17 A Yes, she is.

18 Q And has she been away for a number of years?

19 A Yes.

20 Q But when she is not in school, she comes --

21 A Yeah, she comes.

22 Q -- to live with you?

23 A She comes home and she stay with us.

24 Q Besides the three grandchildren that you have
25 through Barbara, are there any other people that live in the

1 house with you?

2 A I have another granddaughter that I took from my
3 son, and I have her living there with us.

4 Q And hold long has she been there?

5 A Just two years.

6 Q Now, when did Barbara and her children come to
7 reside with you?

8 A I don't remember.

9 Q An approximate date will suffice.

10 A I really don't remember how long she's been with
11 us.

12 Q Were all of her children alive when they came to
13 live with you?

14 A Yes.

15 Q And how old is the youngest one right now?

16 A The youngest one is 13 years old.

17 Q And approximately how old was he when he came to
18 live with you?

19 A I think he was about one year, one year.

20 Q So Barbara and her family, her children have been
21 with you for around 12 years?

22 A Yes. Yes.

23 Q Could you describe what your education is post-
24 high school?

25 A I have a degree in education.

1 Q Do you have any schooling after that?

2 A Yes, toward my master's, but I didn't finish it.

3 Q Do you have any work experience outside the home?

4 A Teaching.

5 Q As a teacher?

6 A Yes.

7 Q And are you currently a teacher?

8 A No, no, no. I'm retired.

9 Q For what period of time where you a teacher?

10 A Well, I worked for 36 years.

11 Q From about when to about when?

12 A From 1948. I worked for 36 years.

13 Q So if we go 1948 and add 36 years, that would be
14 1984?

15 A Yes, that's when I retired, '84.

16 Q Now, the home in which you reside, that is, 83
17 Anna's Hope, is that home owned by you or by your husband?

18 A Both of us.

19 Q Both of you. Has that always been the case?

20 A Yes.

21 Q So far as you know, the home is not titled in your
22 name only?

23 A No, it in both of us name. I don't ever change
24 it. I think it is in both of us name.

25 Q Do you have an ownership interest in the property

1 known as 82 Anna's Hope?

2 A Yes, sir.

3 Q What ownership interest is that?

4 A I think that it is about 50 percent.

5 Q And who owns --

6 A Seventy-five, I should say.

7 Q Seventy-five percent?

8 A Seventy-five percent.

9 Q Who owns the other 25 percent?

10 A My husband.

11 Q Has that always been the case?

12 A No. I really owned the whole thing.

13 Q Okay, just to make sure I understand.

14 MR. COLBY: The reporter is having trouble, a
15 great deal of troubling hearing you. You are going to have
16 to speak up.

17 THE WITNESS: Okay.

18 MR. COLBY: She can't hear. I can't either.

19 THE WITNESS: Oh, I'm sorry.

20 MR. SHOOK: It's a family trait. You all are very
21 soft-spoken.

22 THE WITNESS: Sorry.

23 MR. SHOOK: That's okay. It's very pleasant for
24 conversational purposes, but it can be a little difficult in
25 deposition.

1 BY MR. SHOOK:

2 Q Anyway, for 82 Anna's Hope, is your answer that so
3 far as you know you own all?

4 A I own it, yes; as far as I know.

5 Q An area called Catherine's Rest, 12 acres of
6 undeveloped land, is that a property that you have an
7 ownership interest in?

8 A My husband and myself; both of us.

9 Q So far as you know it's 50/50?

10 A Fifty, yes.

11 Q And then a developed property on Catherine's Rest
12 that produces about \$200 a month of rental income, are you
13 familiar with that property?

14 A Yes, I am.

15 Q And what is the address of that or how would we
16 describe that property?

17 A It's a two-story building with four apartments.

18 Q And would that be 7H, or I mean, I'm just trying
19 to get --

20 A I don't remember the numbers.

21 Q You don't remember?

22 A No.

23 Q Okay. And what is your ownership interest in that
24 property so far as you know?

25 A Half.

1 Q Half. And who owns the other half?

2 A My husband.

3 Q And then a property that has been described as
4 Western Suburb in Christiansted, it's an undeveloped plot,
5 do you have an ownership interest in that?

6 A No, that's his.

7 Q By "his," you mean your husband's?

8 A Yes.

9 Q Properties that are known as 4A, 4C, and 6A, La
10 Grande Princess, do you have an ownership interest in any of
11 those?

12 A Half interest.

13 Q Half interest. And who owns the other half?

14 A My husband.

15 Q And a property known as 6H, Catherine's Rest,
16 which is a two-story building with four apartments, is that
17 one that we have already --

18 A Yes, we spoke.

19 Q That's the one I have already asked you about?

20 A Yes, you just spoke about, yes.

21 Q Okay. And I understand that there was some
22 interest in a property that you recently inherited from one
23 of your sisters?

24 A Yes, I did.

25 Q And do you continue to own an interest in that

1 property?

2 A Yes.

3 Q You do?

4 A Uh-huh.

5 Q Do you have any present intention of giving it to
6 a niece?

7 A I am planning to give it to my niece, yes.

8 Q You are planning. Okay. For the various
9 properties that we have just talked about, I am going to
10 mention each of them and ask you for your understanding of
11 its current value. If you don't know what it is, you can
12 say so.

13 83 Anna's Hope?

14 MR. COLBY: I had an exhibit in front of her with
15 the values on it. I'm taking that away from her.

16 MR. SHOOK: Fine. Thank you.

17 THE WITNESS: I really don't know the value.

18 BY MR. SHOOK:

19 Q Of any of the properties?

20 A No, I don't know.

21 Q Do you know whether any of those properties
22 produce rental income?

23 A Not at the moment. It's just one, very small
24 apartment.

25 Q And that's the one that produces about \$200 a

1 month?

2 A Yes, that is it.

3 Q That's because there is a current tenant that --

4 A Yes.

5 Q -- that pays \$200 a month?

6 A A month, yes.

7 Q And who is that payment made to?

8 A She makes it to my husband.

9 Q Now, as I understand it, you have four children?

10 A Yes, I do.

11 Q One of them who resides in New York City?

12 A Yes.

13 Q One of them who resides in New Orleans?

14 A Yes.

15 Q And two of them who reside on St. Croix?

16 A Yes.

17 Q What would you say that your current sources of
18 income are?

19 A My current sources of income is my retirement
20 check.

21 Q And that comes from your years of school teaching?

22 A Yes.

23 Q Do you also receive social security?

24 A And I receive social security.

25 Q Are there any other sources of income that you are

1 aware of?

2 A No.

3 Q Now, with respect to the real property that we
4 talked about just a little while ago, are you aware of any
5 mortgages or money owed to any lenders with respect to those
6 properties?

7 A No, I really don't know, I guess. My husband is
8 the one who takes care of all of that, so I don't know.

9 Q If I were to use the term "liquid assets," I will
10 explain it to you if it doesn't mean anything to you, do you
11 have any liquid assets so far as you know in your own name?

12 A No.

13 Q Do you have any bank accounts in your own name?

14 A Yes.

15 MR. COLBY: Please speak up.

16 THE WITNESS: Yes, just one bank account.

17 BY MR. SHOOK:

18 Q And how long have you had that bank account?

19 A About eight years now.

20 Q Eight years?

21 A Yes. It's a very small amount.

22 Q Approximately how much is there?

23 A It's just 10,000 at the moment because I have been
24 using the money that I had in there to pay the workers at
25 the station, because the station does not produce enough

1 money to pay the workers.

2 Q Now, as I understand it, the house in which you
3 reside is debt free in that there is no mortgage; it was
4 paid off. Are you aware of any debts other than -- well,
5 are you aware of any debts period for yourself and your
6 husband?

7 A Not for me. I don't know about him.

8 Q Do you currently have a will?

9 A No. No, I don't.

10 Q Are there any trusts that you are currently
11 involved with?

12 A No.

13 Q I'm going to ask some questions about Family
14 Broadcasting, Inc., so that's the context of these
15 questions. Are you currently a director of Family
16 Broadcasting, Inc.?

17 A No.

18 Q Have you ever been a director of Family
19 Broadcasting, Inc.?

20 A No.

21 Q Is that a no?

22 A Yes. No.

23 Q You were shaking your head, and I can see it, but
24 the --

25 A I'm sorry.

1 Q That's okay.

2 MR. COLBY: You must speak up.

3 BY MR. SHOOK:

4 Q Are you currently an officer of Family
5 Broadcasting, Inc.?

6 A No, sir.

7 Q Have you ever been an officer?

8 A My name was down, but that was --

9 Q Your name was what?

10 A An officer once, but that was all.

11 Q Oh, are you saying that you were an officer in
12 name only?

13 A Thank you.

14 Q You know, we will try to communicate here to make
15 sure we are on the same page. Are you currently a
16 stockholder of Family Broadcasting, Inc.?

17 A I think so. I don't know.

18 Q Well, you think so.

19 A I would have to check with Luz.

20 Q Can you --

21 A I don't know.

22 Q You don't know?

23 A I don't know.

24 Q have you ever been a stockholder in Family
25 Broadcasting, Inc.?

1 A Not that I know of.

2 Q Have you ever held an ownership interest in Family
3 Broadcasting, Inc.?

4 A Not that I know of.

5 Q Have you ever told your daughter, Barbara, whether
6 or not you were an owner in Family Broadcasting, Inc.?

7 A No.

8 Q Do you know where the radio station studies are
9 for WSTX-AM and FM?

10 A Yes, I do.

11 Q Do you have any occasion to go there?

12 A I need to pick my daughter up from work.

13 Q About how often would you actually go to the radio
14 station, the stations, the two of them?

15 A Well, if she isn't driving herself, then she will
16 call me to come and pick her up, but I don't go there.

17 Q Approximately how much of a distance are we
18 talking about between the family home and where the radio
19 stations are?

20 A I would say about -- maybe about 15 - 20 miles.

21 Q So it's not something that one could walk --

22 A No, no, no.

23 Q -- easily from your home to the radio stations?

24 A No.

25 Q Do you know who owns the land where the radio

1 stations are situated?

2 A That belongs to the government.

3 Q And as a consequence of the land being owned by
4 the government, do you know whether the radio stations have
5 to pay rent to the government?

6 A I'm sure we have to pay rent, yes.

7 Q My question is more along the lines of do you know
8 whether or not Family actually pays rent to the government
9 for the radio stations?

10 A I don't know.

11 Q Have you ever received money from Family
12 Broadcasting, Inc.?

13 A No.

14 Q So you have never received any income from Family
15 Broadcasting, Inc.?

16 A No.

17 Q You have never received a dividend from Family
18 Broadcasting, Inc.?

19 A No.

20 Q Are you aware of Family Broadcasting, Inc. ever
21 selling any of its assets and then you getting some money as
22 a consequence?

23 A No.

24 Q Have you ever received a gift of any kind from
25 Family Broadcasting, Inc.?

1 A No.

2 Q Have you ever given money to Family Broadcasting,
3 Inc.?

4 A Yes.

5 Q Was that money as a result of your buying
6 something from Family Broadcasting, Inc.?

7 A No, to help pay bills.

8 Q To help pay bills.

9 A Yes.

10 Q Would you view that as a gift to Family
11 Broadcasting, Inc. or as a loan to Family Broadcasting, Inc.
12 or something else?

13 A Well, I give it as a gift.

14 Q And approximately how much money have you given to
15 Family Broadcasting, Inc.?

16 A Over \$50,000 to the Family Broadcasting. Over
17 \$50,000 to Family Broadcasting to pay bills.

18 MR. COLBY: That's much better.

19 BY MR. SHOOK:

20 Q That would be since 1990?

21 A Yes.

22 Q Has the amount of your giving changed over time?

23 A No.

24 Q So this \$50,000 that you have given to Family
25 Broadcasting over the 12 years has been relatively evenly --

1 A Distributed yes.

2 Q -- distributed?

3 Believe me, I don't mind if you jump in with the
4 word that I am searching for and you happen to find it
5 before I do.

6 Do you have any understanding as to what the
7 current value of Family Broadcasting, Inc. is?

8 A No, I don't.

9 Q Have you ever seen any tax returned with respect
10 to Family Broadcasting, Inc.?

11 A No.

12 Q Would it be fair to state that you have had no
13 role whatsoever in the preparation of a tax return for
14 Family Broadcasting?

15 A That is true.

16 Q Have you ever seen a balance sheet for Family
17 Broadcasting?

18 A I haven't seen anything.

19 Q So I take it that would mean you also have not
20 seen any income statement?

21 A No.

22 MR. SHOOK: I want to show you a document. It's
23 seven pages in length, and it's an FCC 323, which is an
24 ownership report. This particular ownership report -- this
25 is going to sound funny. There is an electronic signature

1 of your daughter, Barbara James-Petersen, and a date of 10-
2 1-2001.

3 We can go off the record while you take a quick
4 look at it. I'm not going to ask you a lot of detailed
5 questions about it, but there are a few that I do want to
6 ask.

7 (Whereupon, a short recess was taken.)

8 BY MR. SHOOK:

9 Q Mrs. James, as I said, this document is a Form FCC
10 323. It's an ownership report, and it appears to be one for
11 Family Broadcasting, Inc. Have you ever seen this document
12 before today?

13 A No.

14 Q Now, with respect to the information that appears
15 under "Capitalization" at the bottom of the second page,
16 there is an indication there that there are 100,000 shares
17 of Family Broadcasting, Inc. common voting stock that had
18 been authorized.

19 Do you have any knowledge as to where that 100,000
20 figure may have come from?

21 A Not at all. I don't know anything about it.

22 Q And under the heading of "Issued and Outstanding,"
23 there is a figure that appears, 2,771. Do you have any
24 understanding as to where that figure came from?

25 A No.

1 Q Moving to page 3, there is what purports to be
2 ownership information with respect to particular
3 individuals, and according to this document Gerard Luz A.
4 James -- first of all, that is your husband, correct?

5 A Yes.

6 Q And according to this, his percentage of ownership
7 in Family Broadcasting, Inc. is 51 percent. Do you have any
8 knowledge as to whether or not that figure is accurate?

9 A I don't know.

10 Q Do you have any knowledge as to how that
11 percentage figure was derived?

12 A No, I don't.

13 Q The next name that appears is Asta K. James. I
14 take it that's you?

15 A Yes, that's me.

16 Q Now, moving to page 4, there is a percentage of
17 ownership figure, 42. Do you have any knowledge as to
18 whether or not that figure is accurate?

19 A No, I don't.

20 Q Do you have any knowledge as to how that figure
21 was derived?

22 A No, I don't.

23 Q Now, at the time this ownership report was
24 prepared the address given for Gerard Luz A. James II
25 appears as 7H Catherine's Rest, Christiansted, St. Croix,

1 U.S. Virgin Islands. Does your son reside at that address?

2 A No. At the present time?

3 Q Yes, ma'am.

4 A No.

5 Q Do you know whether or not he resided at that
6 address on October 1, 2001?

7 A At which address?

8 Q The --

9 A This one?

10 Q 7H Catherine's Rest.

11 A I'm not sure. I think so. I'm not sure.

12 Q Is there some other address that you are aware of
13 where he might have resided?

14 A No.

15 Q Did he have an official residence as a consequence
16 of being the lieutenant governor of the United States Virgin
17 Islands?

18 A Yes.

19 Q Was that residence at 7H Catherine's Rest?

20 A No, it was not.

21 Q Do you know whether or not your son resided at the
22 lieutenant governor's residence on October 1, 2001?

23 A Yes.

24 Q And is that where he resided at the --

25 A At the president time.

1 Q At the lieutenant governor's residence?

2 A Residence, yes.

3 MR. SHOOK: Now, I'm also going to show you an
4 ownership report from an earlier period of time. This
5 ownership report appears to pertain to 1995. You will see
6 that it's supposed to cover what the situation is on
7 November 20, 1995.

8 We can go off the record while you take a look at
9 this

10 (Whereupon, a short recess was taken.)

11 THE WITNESS: I don't know anything about this.

12 THE REPORTER: Could you say that one more time,
13 only a little louder?

14 THE WITNESS: You would like me to say that?

15 THE REPORTER: A little louder, please.

16 THE WITNESS: Okay. I don't know anything about
17 this.

18 MR. SHOOK: All right.

19 BY MR. SHOOK:

20 Q Do you recognize the signature that appears on
21 page 4?

22 A Yes.

23 Q And whose signature is that?

24 A That's my husband's signature.

25 Q Now, there is some information that appears on the

1 third page, and according to this document on November 20,
2 1995, you were the vice president of Family Broadcasting,
3 Inc. Does that comport with your recollection?

4 A Maybe on paper. I don't know.

5 Q In terms of your ownership --

6 A Because I have never done anything about Family
7 Broadcasting. All I did was to lend some money to help pay
8 bills. I don't know anything about it.

9 Q Then this is going to go very fast.

10 A I don't know.

11 Q All right. With respect to the information that
12 appears underneath Barbara James-Petersen's name, do you
13 know whether or not she was secretary-treasurer of Family
14 Broadcasting, Inc. in November of 1995?

15 A I don't remember.

16 Q Do you know whether she owned any shares of stock
17 in Family Broadcasting, Inc.?

18 A I don't know.

19 Q Does the name Reuben Jusino mean anything to you?

20 A No.

21 Q Does the name Francisco Depusoir mean anything to
22 you?

23 A Yes.

24 Q And what does that mean to you?

25 A Well, he's the accountant.

1 Q And the accountant for what?

2 A I know he is the accountant for Family
3 Broadcasting. That I know.

4 Q Do you know whether he has any current
5 responsibility with respect to Family Broadcasting, Inc.?

6 A That I don't know.

7 MR. SHOOK: I'm going to show you a four-page
8 document, and my first question to you is whether you have
9 ever seen this before.

10 (Witness reviews document.)

11 THE WITNESS: No.

12 BY MR. SHOOK:

13 Q And the four-page document that I am showing you
14 has various titles, "N-O" which indicates number, a name,
15 and address, and I believe the fourth category is the number
16 of shares. With that information, does it help you
17 understand what it is that you are looking at?

18 A No, because I really don't know anything about it.

19 Q Do you know who Esther Larson is?

20 A Who?

21 Q Esther Larson?

22 A No.

23 Q Do you know who Ada Acoy is?

24 A Yes, I know some of the names.

25 Q Well, if you could, why don't you point out to me

1 which names you know.

2 A I know Ada Acoy, Earl Sealey and Eleanor Sealey.

3 Q And who is that?

4 A That's my neighbors. Eleanor Chapman.

5 Q And who is she?

6 A I know she's a nurse, she was a nurse. She's
7 retired.

8 Q Senator Gerard James, that's my son.

9 Q What period of time was he a senator?

10 A He was a senator for four years.

11 Q From about when to about when?

12 A Now the dates, I don't remember right now.

13 Q Could it have been after 1990?

14 A I'm not sure. I will have to check it.

15 Q How long has he been lieutenant governor?

16 A What?

17 Q How long has he been lieutenant governor?

18 A Just for four years.

19 Q Is his four-year term about to run out?

20 A Yes.

21 Q She he became lieutenant governor some time --

22 A Between '89 - '90. I'm sorry. '90 -- '99.

23 Q He became lieutenant governor some time early in
24 1990?

25 A 1998.

1 Q With respect to the people whose names you did
2 know, do you happen to know whether any of those individuals
3 own stock in Family Broadcasting, Inc.?

4 A I don't know.

5 Q Do you know whether any of the individuals that
6 you named paid for shares of stock in Family Broadcasting,
7 Inc.?

8 A I don't know.

9 Q That would include your son, you don't know
10 whether --

11 A I don't know.

12 Q Do you know whether or not your daughter Barbara
13 has an official role with the running of Stations WSTX-AM
14 and FM right now?

15 A Yeah, she is the one running the station.

16 Q Does anybody else assist her in running the
17 stations?

18 A Not that I know of.

19 Q Does your husband have any role in running the
20 stations?

21 A No, no.

22 Q When did he stop having such a role?

23 A From the time Barbara took over, he stopped.

24 Q And that was approximately when?

25 A I don't remember.

1 Q Does your husband ever go to the radio stations?

2 A Yes, he has to religious programs on the radio
3 station. That's the only thing he does, just goes there for
4 those programs and that's it.

5 Q What period of time would that be?

6 A That is -- I know the one is on Sunday evening,
7 which is a prayer against hurricane. That starts at nine
8 and goes until 12. And the other one is on Saturday
9 afternoon. Goes up there at three o'clock and he works from
10 three until eight.

11 Q Do you know whether he receives a salary of any
12 kind --

13 A No, he does not.

14 Q -- for performing that work?

15 A No, he does not.

16 Q Do you know whether or not Barbara receives a
17 salary of any kind for working at the stations?

18 A No, she doesn't receive any salary. She lives
19 with us.

20 Q Now why does Barbara and her children live with
21 you instead of with her husband in Maryland?

22 A Because we asked her to come down and run the
23 station.

24 A Now she has been with you though for 12 years.
25 Has she been running the stations during that entire period?

1 A Not that length of time, no.

2 Q But when you asked her to return to the Virgin
3 Island, it was for the purpose of assisting with the
4 operations of the radio stations?

5 A Yes.

6 Q Was there any other reason?

7 A To see if -- her one son who is sick, if the
8 climate would help him.

9 Q Do you receive any money from Barbara because of
10 her residing with you?

11 A No.

12 Q Do you receive any money from her husband, Kelvin,
13 as a consequence --

14 A No.

15 Q -- of her residing with you?

16 A No.

17 Q Do you know where Family Broadcasting, Inc.
18 maintains its records?

19 A No, I don't know anything.

20 Q Do you know what Family Broadcasting, Inc. paid to
21 acquire the radio stations?

22 A No.

23 Q Do you know what Family Broadcasting, Inc. owes
24 with respect to their stations, whether it owes anybody
25 anything?

1 A I think so.

2 Q What is it that you --

3 A I don't know. I think it owes. I'm not sure.

4 Q For the money that was used to acquire the radio
5 stations, do you know where that money came from?

6 A It was some money that we acquired after the
7 hurricane, after Hugo, Hurricane Hugo.

8 Q That's when you acquired the radio stations, or
9 that when the family acquired the radio stations?

10 A Yes.

11 Q My question was where did the money come from in
12 order to acquire the radio stations?

13 A Well, that's the money that we got from the HMS
14 Company for damage --

15 Q All of it? Okay.

16 A -- property.

17 Q So there was insurance money that came from --
18 there was money that came from an insurance company because
19 of damage --

20 A Damage.

21 Q -- to some property?

22 A Yes.

23 Q What property was damaged?

24 A 83 Anna's Hope.

25 Q Your family home?

1 A Yes.

2 Q Was damaged by Hurricane Hugo?

3 A Yes.

4 Q And so there was money that came from an insurance
5 company?

6 A Yes.

7 Q At least some of that money was used to acquire --

8 A Yes.

9 Q -- WSTX-AM and FM?

10 A Yes, that I know.

11 Q The two ownership reports that I showed you, one
12 of them had Barbara's electronic signature on it and the
13 other hand the handwritten signature of your husband.

14 Do you know, with respect to the one that Barbara
15 signed, how it was that she prepared that report?

16 A No, I don't know.

17 Q Do you know if she had any role in providing your
18 husband information with respect to the report that he
19 signed?

20 A I don't know.

21 Q Have you promised to make any gift of money to
22 Barbara in connection with the operation of Family
23 Broadcasting, Inc.?

24 A No, I haven't. The only thing I do is she is
25 living with us, and if she need any medicine or the kids

1 need medicine which they have to have, I usually buy it and
2 give it to them. I am their grandmother. So I buy it and
3 give it to them.

4 Q If Barbara needed any money though for the
5 operation of the radio station, you would give it to her if
6 you had it?

7 A If I had it.

8 MR. SHOOK: I think there is one document I want
9 to try to locate. But other than that I'm --

10 MR. COLBY: Which document are you looking for?

11 MR. SHOOK: I'll tell you what. This is something
12 that I would like to talk with Mr. Colby about. If you
13 could just go to the cafeteria for a second, and we will see
14 if we can find --

15 MR. COLBY: Rather than this elderly woman --

16 MR. SHOOK: Okay, that's a better idea. We'll
17 walk.

18 (Whereupon, a short recess was taken.)

19 MR. SHOOK: We can go back on the record.

20 BY MR. SHOOK:

21 Q Mrs. James, with respect to this gift and
22 conveyance of stock document that references a date of April
23 16, 2002, there are two signature that appear on the second
24 page. Do you recognize those signatures?

25 A Yes, I do.

1 Q And whose signatures are they?

2 A This is my husband's signature and this mine.

3 Q And do you understand what it is that this
4 document is supposed to do?

5 A Yes.

6 Q What is your understanding?

7 A That everything is turned over to Barbara and the
8 children.

9 Q Whatever interest you and your husband have --

10 A Yes. Yes.

11 Q -- you intend to give to your children?

12 A Yes.

13 MR. SHOOK: Now, I guess we can do this in the
14 presence of the witness.

15 BY MR. SHOOK:

16 Q I think I had asked you a question about whether
17 or not you had intended to give any money to Family
18 Broadcasting, Inc. if it's needed or the operation of the
19 radio stations, and if I recall correctly, your answer was
20 that you did not remember any such document?

21 MR. COLBY: I don't think she did execute a
22 document. I think it what it was, I think Barbara said she
23 would talk to her and establish that her mother would give
24 it, she had been giving. I don't think the other executed a
25 separate document. I'm almost sure she didn't.

1 MR. SHOOK: That's fine. That's fine.

2 MR. COLBY: I would have drafted it, and I would
3 remember.

4 MR. SHOOK: Okay, let me try that again.

5 BY MR. SHOOK:

6 Q What understanding, if any, do you have as to
7 whether or not you would give money to Family Broadcasting,
8 Inc. if it were needed?

9 A As long as Barbara ask me, I will give it. If I
10 have it, I will give it to her to help.

11 MR. SHOOK: Very good. I have nothing further.

12 (Discussion held off the record.)

13 BY MR. SHOOK:

14 Q With respect to matters at home, would you say
15 that you are the person in charge or your husband is the
16 person in charge?

17 A Of?

18 Q Of what goes on at your home?

19 A In my house?

20 Q Yes.

21 A I will say both of us.

22 Q With respect to what takes place at Family
23 Broadcasting, Inc., who is in charge?

24 A That's Barbara's.

25 Q Barbara is in charge of?

1 A Yes.

2 Q Very good.

3 A I have nothing to do with it.

4 MR. SHOOK: Nothing further.

5 (Whereupon, at 5:55 p.m., the hearing in the
6 above-entitled matter was adjourned.)

7 I have read the foregoing pages 1 through 36, and
8 they are a true and accurate record of my
9 testimony therein recorded, and any changes and/or
10 corrections appear on the attached errata sheet
11 signed by me.

12

13 _____
14 ASTA K. JAMES

15

16 Subscribed and sworn to before me

17 this ____ day of _____, 2002

18

19 _____
20 Notary Public

21 My Commission expires: _____
22
23
24
25

JURISDICTION: Federal Communications Commission

Before me, the undersigned authority, personally appeared Asta K. James who, after being duly sworn states that he/she has read the foregoing deposition transcript, and states that he/she wishes to make the following changes or corrections to this transcript for the following reasons:

PAGE	LINE	CHANGE	REASON FOR CHANGE
------	------	--------	-------------------

The witness states that the deposition transcript, pages 1 through 36, is otherwise true and accurate.

ASTA K. JAMES

SWORN AND SUBSCRIBED before me on
the _____ day of _____, A.D. 2002.

Notary Public

My Commission Expires: _____

CERTIFICATE OF COURT REPORTER/NOTARY PUBLIC

I, Beth Roots, the officer before whom the foregoing testimony was taken, do hereby certify that the witness whose testimony appears in the foregoing deposition was duly sworn by me; that the testimony of said witness was taken by me and thereafter reduced to typewriting; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken; and further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto; nor am I financially or otherwise interested in the outcome of the action.

Beth M. Roots

Court Reporter/Notary Public

My Commission Expires: 1/1/2005